

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

WAYNE VAN SCOY,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 05-108-KAJ
v.	)	
	)	
VAN SCOY DIAMOND MINE OF	)	
DELAWARE, INC., a Delaware corporation,	)	
KURT VAN SCOY, and DONNA VAN SCOY,	)	
	)	
Defendants.	)	

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1.4, Plaintiff, Wayne Van Scoy, hereby requests oral argument on Defendants' Motion for Summary Judgment and on Plaintiff's three Motions for Summary Judgment. These Motions are more specifically identified as follows:

1. Motion of Defendants Van Scoy Diamond Mine of Delaware, Inc., Kurt Van Scoy and Donna Van Scoy, for Summary Judgment (D.I. 116);
2. Plaintiff's Wayne Van Scoy's Motion for Summary Judgment of Infringement and Willful Infringement by Defendants (D.I. 108);
3. Plaintiff's Wayne Van Scoy's Motion for Summary Judgment against Defendants' Claims of Invalidity and Abandonment (D.I. 110); and
4. Plaintiff's Wayne Van Scoy's Motion for Summary Judgment on Defendants' Laches, Acquiescence and Estoppel Defenses (D.I. 112).

ASHBY & GEDDES

*/s/ John G. Day*

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Dated: January 3, 2006

165206.1

**CERTIFICATE OF SERVICE**

I hereby certify that on the 3<sup>rd</sup> day of January, 2006, the attached **REQUEST FOR ORAL ARGUMENT** was served upon the below-named counsel of record at the address and in the manner indicated:

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VIA ELECTRONIC MAIL  
and FIRST CLASS MAIL

*/s/ John G. Day*

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John G. Day